



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Rooij et al.

**Serial No.:** 10/817,164

**Filed:** April 1, 2004

**For:** STORING AND DETECTING  
NUCLEIC ACID ADMINISTERED TO A  
SOLID CARRIER

**Confirmation No.:** 1592

**Examiner:** S. Chen

**Group Art Unit:** 1648

**Attorney Docket No.:** 2183-6412US

**NOTICE OF EXPRESS MAILING**

Express Mail Mailing Label Number: EM331967083US

Date of Deposit with USPS: July 24, 2009

Person making Deposit: Betty Vowles

**REQUEST AND PETITION FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit with the payment of the issue fee, a Request and Petition for Corrected Filing Receipt. Applicants request that the European Priority application no. 02077697.7, filed July 4, 2002 be included on the Filing Receipt and made a part of the U.S. Patent Office database records.

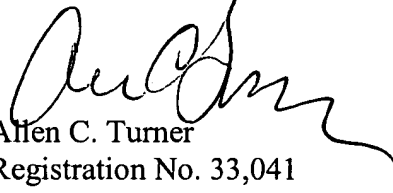
The Filing Receipt fails to include the foreign priority listed on the Declaration of EP 02077697.7, filed July 4, 2002. An annotated copy of the Filing Receipt and a copy of the Declaration submitted with the Response to File Missing Parts are included with this transmission.

**Serial No. 10/817,164**

Applicants request that the European Priority application be listed under the section entitled "Foreign Applications." Applicants are securing a copy of the priority document to be submitted to the U.S. Patent Office.

Authorization is provided to charge the fee amount due to TraskBritt Deposit Account No. 20-1469.

Respectfully submitted,



Allen C. Turner

Registration No. 33,041

Attorney for Applicants

TRASKBRITT, P.C.

P.O. Box 2550

Salt Lake City, Utah 84110-2550

Telephone: 801-532-1922

Date: July 24, 2009

ACT/bv

Document in ProLaw



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/817,164	04/01/2004	1645	1366	2183-6412US	2	35	5

24247  
TRASK BRITT  
P.O. BOX 2550  
SALT LAKE CITY, UT 84110

RECEIVED  
DEC 30 2004

CONFIRMATION NO. 1592  
UPDATED FILING RECEIPT  
  
\*OC000000014833979\*

TRASKBRITT, P.C.

Date Mailed: 12/28/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Esther Regina de Rooij, Eemnes, NETHERLANDS;  
Marinus Petrus de Baar, Utrecht, NETHERLANDS;

**Power of Attorney:** None

**Domestic Priority data as claimed by applicant**

This application is a CON of PCT/NL03/00491 07/03/2003

**Foreign Applications**

EUROPEAN PATENT OFFICE (EPO) 020 77697.7 07/04/2002

If Required, Foreign Filing License Granted: 11/19/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/817,164**

**Projected Publication Date:** 04/07/2005

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Storing and detecting nucleic acid administered to a solid carrier

**Preliminary Class**

435

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



COPY

Attorney Docket No. 2183-6412US

# DECLARATION FOR PATENT APPLICATION (WITH POWER OF ATTORNEY)

As an inventor named below or on any attached continuation page, I hereby declare that: My residence, post office address and citizenship are as stated next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **STORING AND DETECTING NUCLEIC ACID ADMINISTERED TO A SOLID CARRIER**, the specification of which:

- ☐ is attached hereto.
- ☒ was filed on April 1, 2004 as United States application serial no. 10/817,164 and was amended on \_\_\_\_\_
- ☐ was filed on \_\_\_\_\_ as PCT international application no. \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and on any attached continuation page and have also identified below and on any attached continuation page any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America having a filing date before that of the application(s) on which priority is claimed.

Prior foreign/PCT application(s):

			Priority	Claimed
<u>02077697.7</u>	<u>EP</u>	<u>04/07/2002</u>	<u>X</u>	<u>Yes</u>
(number)	(country)	(day/month/year filed)		
No				
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
(number)	(country)	(day/month/year filed)		
No				

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of PCT international application(s) designating the United States of America listed below and on any attached continuation page and, insofar as the subject matter of each of the claims of this application is not disclosed in any such prior application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of such prior application and the national or PCT international filing date of this application:

PCT/NL03/00491	July 3, 2003	pending
(application serial no.) or abandoned)	(filing date)	(status—pending, patented
(application serial no.) or abandoned)	(filing date)	(status—pending, patented

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

(provisional application no.)	(filing date)
-------------------------------	---------------

I hereby appoint the following Registered Practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

David V. Trask, Reg. No. 22,012	William S. Britt, Reg. No. 20,969
Laurence B. Bond, Reg. No. 30,549	Joseph A. Walkowski, Reg. No. 28,765
James R. Duzan, Reg. No. 28,393	H. Dickson Burton, Reg. No. 48,396
Allen C. Turner, Reg. No. 33,041	Edgar R. Cataxinos, Reg. No. 39,931
Kent S. Burningham, Reg. No. 30,453	Brick G. Power, Reg. No. 38,581
Kevin K. Johanson, Reg. No. 38,506	Krista Weber Powell, Reg. No.
47,867	
Shawn G. Hansen, Reg. No. 42,627	Bretton L. Crockett, Reg. No. 44,632
Tawni L. Wilhelm, Reg. No. 47,456	Bradley B. Jensen, Reg. No. 46,801
Andrew F. Nilles, Reg. No. 47,825	Greg T. Warder, Reg. No. 50,208
Katherine A. Hamer, Reg. No. 47,628	Marcus S. Simon, Reg. No. 50,258
Trent N. Butcher, Reg. No. 51,518	G. Scott Dorland, Ph.D., Reg. No. 51,622


Address all correspondence to: Allen C. Turner, telephone no. (801) 532-1922.

TRASKBRITT, PC  
P.O. Box 2550


**Salt Lake City, Utah 84110**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: de Rooij, Esther Regina

Inventor's signature  Date 13-4-04  
Residence: The Netherlands  
Citizenship: Dutch  
Post Office Address: Hondsdraf 8, 3755 TC EEMNES, The Netherlands

Full name of second joint inventor: de Baar, Marinus Petrus

Inventor's signature  Date 9-4-04  
Residence: The Netherlands  
Citizenship: Dutch  
Post Office Address: Ina Boudier-Bakkerlaan 117-3, 3582 XP UTRECHT, The Netherlands